IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.W.P.NO.2569 OF 2006

Kashinath Ratnu Gangarkar ..Petitioner

Vs.

State of Maharashtra ..Respondent

Mr.Ganesh Bhujbal Advocate (appointed) for petitioner
Mr.S.S.Pednekar Advocate for respondent

CORAM: SMT.RANJANA DESAI &
SMT.V.K.TAHILRAMANI,JJ.

DATE : JANUARY 23, 2007

P.C.

1. This petition is preferred through jail for furlough. The learned A.P.P. points out that the petitioner is convicted for offence under Section 397 of IPC. He submitted that in view of Sub-rule (2) of Rule 4 of Prisons Furlough and Parole Rules, 1979, the petitioner cannot be released on furlough. Sub-rule (2) of Rule 4 of the said Rules, reads as under:

4. The following categories of prisoners shall not be considered for release on furlough:-

(1) ....

(2) Prisoners convicted of offences under Sections 392 to 402 (both inclusive) of I.P.C.

2. In view of above, this petition cannot be entertained. Hence, petition is dismissed.

[SMT.V.K.TAHILRAMANI,J.] [SMT.RANJANA DESAI, J.]